

Panaji, 20th December, 1984 (Agrahayana 29, 1906)

SERIES I No. 38

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Planning Department

Corrigendum

4-4-70/PLG

Read: Government Notification No. 4-4-70/PLG dated 10-7-1984 published in Official Gazette, Series I, No. 16 dated 19-7-1984.

In the Goa, Daman and Diu, Registration of Births and Deaths (Amendment) Rules, 1984 notified above,

- (i) Under Rule 14(1) for the letters "Rs." figuring before the clauses (a) to (d), the letters "Re." shall be substituted;
- (ii) Under Rule 14(1), in clause (a) for the word "Serch", the word "Search" shall be substituted;
- (iii) Under Rule 11(1)(i), after the words "Such date", the word "Or" shall be inserted.

By order and in the name of the Administrator of Goa, Daman and Diu.

U. D. Kamat, Under Secretary (Planning).

Panaji, 12th December, 1984.

Law Department (Legal Advice)

Drafting Section

Notification

No. LD/10/7/84-(D)

The following Act which was passed by the Legislative Assembly of Goa, Daman and Diu on the 1st day of August, 1984, and assented to by the President of India on the 28th November, 1984, is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 1st December, 1984.

The Goa University Act, 1984

(Act No. 7 of 1984)

An

ACT

to establish and incorporate a teaching and affiliating University in the Union territory of Goa, Daman and Diu and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-fifth Year of the Republic of India as follows:—

1. Short title and commencement. — (1) This Act may be called the Goa University Act, 1984.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions. — In this Act, and in all Statutes made hereunder, unless the context otherwise requires, —

(1) "Academic Council" means the Academic Council of the University;

(2) "affiliated college" means a college recognised by the University as such in accordance with the provisions of this Act and the Statutes in which instruction is provided in accordance with the provisions of the Statutes and Ordinances;

(3) "autonomous college" means a college recognised as such by the Statutes;

(4) "autonomous Department" means a Department designated as such by the Statutes;

(5) "autonomous institution" means an institution recognised as such by the Statutes;

(6) "Board of Studies" means the Board of Studies of the University;

(7) "Chancellor", "Vice-Chancellor" and "Registrar" mean, respectively, the Chancellor, Vice-Chancellor and Registrar of the University;

(8) "College" means a College maintained by the University and includes an affiliated College;

(9) "Department" means a Department of the University;

(10) "Executive Council" means the Executive Council of the University;

(11) "Government" means the Government of the Union territory;

(12) "Hall" means a unit of residence or of corporate life for the students of the University, College or Institution, provided, maintained or recognised by the University;

(13) "hostel" means a place of residence for students provided, maintained or recognised by the University;

(14) "institution" means an academic institution, not being a College, maintained by the University;

(15) "Principal" means the Head of a College or Institution;

(16) "Senate" means the Senate of the University;

(17) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University;

(18) "teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any college or institution maintained or recognised by the University and designated as such by the Ordinances;

(19) "University" means the Goa University;

(20) "Union territory" means the Union territory of Goa, Daman and Diu.

3. The University.—(1) There shall be established in the Union territory, a University by the name of "Goa University".

(2) The headquarters of the University shall be at Panaji and it may establish campuses at such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor and the first Vice-Chancellor and the first members of the Senate, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such offices or membership, are hereby constituted a body corporate by the name of "Goa University".

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. Objects.—The objects of the University shall be to disseminate and advance knowledge by providing instructional, research and extension facilities in such branches of learning as it may deem fit and by the example of its corporate life, and, in particular,—

(a) to pay special attention to the improvement of social and economic welfare of the people of the Union territory by developing suitable programmes in community development and human relations;

(b) to promote interest in the life, literatures, languages and cultures of the people of the Union territory;

(c) to establish schools of studies in disciplines relevant to the life, needs and aspirations of the

people of the Union territory and its geographical and industrial profile;

(d) to provide adequate facilities for the educational and professional advancement of socially and educationally backward and under privileged community from rural areas;

(e) to create opportunity for appropriate academic and professional education for women;

(f) to promote interest in physical efficiency and excellence in sports, and social service among the youth of the Union territory; and

(g) to provide higher education, extension and research facilities in Latin studies, mining and marine sciences.

5. Powers of the University.—The University shall have the following powers, namely:

(1) to provide for instructions in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge;

(2) to grant, subject to such conditions as the University may determine, diplomas, certificates to and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other distinctions for good and sufficient cause;

(3) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(4) to establish such campuses, Special centres, Specialized Laboratories for research and instruction as are, in the opinion of University, necessary for the furtherance of its objects;

(5) to organise and to undertake extra-mural studies and extension services;

(6) to provide instructions, including correspondence and such other courses, to such persons as are not members of the University, as it may determine;

(7) to establish and maintain colleges, institutions, Halls and hostels, to admit to its privileges, colleges, institutions and Halls not maintained by it and to withdraw any of those privileges;

(8) to institute Principalships, Professorships, Readerships, Lecturerships and other teaching or academic posts required by the University, and appoint persons to such Principalships, Professorships, Readerships, Lecturerships or other posts;

(9) to institute and award fellowships, scholarships, studentships, medals and prizes;

(10) to declare a college, an institution or a Department as an autonomous college, institution or Department, as the case may be;

(11) to recognise an institution of higher learning for such purposes as the University may determine and to withdraw such recognition;

(12) to appoint persons working in any other University or organisation as teachers in the University for a specified period;

(13) to determine standards for admission in the University which may include examination, evaluation or any other method of testing;

(14) to demand and receive payment of fees and other charges;

(15) to institute and award fellowships, scholarships, exhibitions and prizes;

(16) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(17) to make special arrangements in respect of women students as the University may consider desirable;

(18) to regulate and enforce discipline among the students and employees of the University and take such disciplinary measures in this regard as may be deemed necessary by the University;

(19) to create administrative, ministerial and other posts and to make appointments thereto;

(20) to receive donations and to acquire, hold, manage and dispose of property, movable or immovable, including trust and endowment property for the purposes of the University;

(21) to borrow, with the approval of the Government and on the security of the property of the University, moneys for the purposes of the University;

(22) to make provisions for —

- (i) the National Service Scheme;
- (ii) the National Cadet Corps;
- (iii) the National Sports Organisation;
- (iv) physical and military training;
- (v) the Students' Council; and
- (vi) such other activities directed towards the cultural, economical and social betterment of the students;

(23) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of the objects of the University.

6. Jurisdiction. — (1) The jurisdiction of the University shall extend to the whole of the Union territory.

(2) No educational institution situated within the Union territory shall be associated in any way with or be admitted to any privileges of any other University, and any such privileges granted by such other University to any educational institution within the Union territory prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act:

Provided that the Government may, by order in writing, direct that the provisions of this sub-section shall not apply in the case of any institution specified in the order.

7. The University open to all classes, castes and creeds. — The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall be not lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle

him to be admitted therein as a teacher or student or to hold any office therein or to graduate from it or to enjoy or exercise any privilege thereof:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the admission of women students or for the admission of students of the weaker sections of the people.

8. Visitor. — (1) The Lieutenant Governor of the Union territory shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories and equipments, and of any college or institution maintained by the University; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, colleges or institutions.

(3) The Visitor shall, in every case give notice of his intention to cause an inspection or inquiry to be made —

(a) to the University, if such inspection or inquiry is to be made in respect of the University, college or institution maintained by it; or

(b) to the college or institution if the inspection or inquiry is to be made in respect of the college or institution admitted to the privileges of the University;

and the University, college or institution, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

(4) After considering the representations, if any, made by the University, college or institution, as the case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where any inspection or inquiry has been caused to be made by the Visitor, the University or college or institution, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and to be heard at such inspection or inquiry.

(6) The Visitor may, if the inspection or inquiry is made in respect of the University or any college or institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may be pleased to offer upon the action to be taken thereon.

(7) The Visitor may, if the inspection or inquiry is made in respect of any college or institution admitted to the privileges of the University, address the college or institution concerned through the Vice-Chancellor with reference to the results of such inspection or inquiry.

(8) The Executive Council or the college or institution, as the case may be, shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.

(9) Where the Executive Council or the college or institution, as the case may be, does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering the explanation furnished or representation made by the Executive Council or the college or institution, as the case may be, issue such directions as he may think fit and the Executive Council or the college or institution, as the case may be, shall comply with such directions.

(10) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceedings of the University which is not in conformity with this Act, Statutes or Ordinances:

Provided that before making such order he shall call upon the University or the college or institution, as the case may be, to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(11) The Visitor shall have such other powers as may be prescribed by the Statutes.

9. Officers of the University.—The following shall be the officers of the University:—

- (1) The Chancellor;
- (2) The Vice-Chancellor;
- (3) The Deans of Faculties;
- (4) The Registrar;
- (5) The Finance Officer; and
- (6) Such other officers as may be declared by the Statutes to be officers of the University.

10. The Chancellor.—(1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his Office, be the Head of the University.

(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.

11. The Vice-Chancellor.—(1) The Vice-Chancellor shall be appointed by the Visitor in such manner and on such terms and conditions of service as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary in any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matters:

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes or Ordinances.

12. Deans of Faculties.—Every Dean of a Faculty shall be appointed in such manner, and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

13. The Registrar.—(1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

14. The Finance Officer.—The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

15. Other Officers.—The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

16. Authorities of the University.—The following shall be the authorities of the University:—

- (1) The Senate;
- (2) The Executive Council;
- (3) The Academic Council;
- (4) The Faculties;
- (5) The Finance Committees;
- (6) Such other authorities as may be declared by the Statutes to be authorities of the University.

17. The Senate.—(1) The constitution of the Senate and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Senate shall have the following powers and functions, namely:—

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Visitor in respect of any matter which may be referred to it for advice; and

(d) to perform such other functions as may be prescribed by the Statutes.

18. The Executive Council. — (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

19. The Academic Council. — (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

20. Other authorities of the University. — The constitution, powers and functions of the Faculties, the Finance Committee and of such other authorities as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

21. Planning Board. — (1) There shall be constituted a Planning Board of the University for —

(a) preparing long term and short term plans and programmes for the development of the University; and

(b) for evaluating the progress of the plans and programmes periodically.

(2) The constitution, powers and functions of the Planning Board, the manner of appointment and the term of office of its members shall be prescribed by the Statutes.

22. Statutes. — Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely: —

(a) the appointment, powers and duties of the officers of the University, their emoluments and their terms and conditions of service;

(b) the constitution, powers and functions of the authorities and other bodies of the University as may be constituted from time to time;

(c) the election and continuance in office of the members of the said authorities and bodies, the filling of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;

(d) the conferment of honorary degrees;

(e) the establishment, maintenance and abolition by the University, Departments, colleges, institutions of research and specialized studies, Halls and hostels;

(f) the appointment of the teachers of the University and other academic staff and the emoluments and other terms and conditions of their service;

(g) the appointment of teachers and other academic staff working in any University or organisation for a specified period to undertake a joint project;

(h) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;

(i) the principle governing the seniority of service of employees;

(j) the procedure for arbitration in cases of disputes;

(k) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of University;

(l) the establishment of Centres of studies, Board of studies, Special centres, Specialized Laboratories and other centres;

(m) the establishment and recognition of Students Council or other associations of teachers, academic staff or other employees;

(n) participation of the students in the affairs of the University;

(o) the withdrawal of degrees, diplomas, certificates, and other academic distinctions;

(p) the institution of fellowships, scholarships, studentships, medals and prizes;

(q) the maintenance of discipline amongst students;

(r) the extent of autonomy which a Department, college or institution may have and the matters in relation to which such autonomy may be exercised;

(s) the delegation of powers vested in the authorities or officers of the University; and

(t) all other matters which by this Act are to be, or may be, provided by the Statutes.

23. Statutes how made. — (1) The first Statutes are those set out in the Schedule.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Visitor who may assent thereto or withhold assent or remit the same to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act:

Provided that the Visitor may, on the expiry of the said period of three years, make, within one

year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before the Legislative Assembly.

24. Ordinances.— (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students to the University and their enrolment as such;

(b) the courses of study to be laid down for all degree, diplomas and certificates of the University;

(c) the medium of instruction and examinations;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged or courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(f) the conditions of award of fellowships, scholarships, studentships, medals and prizes;

(g) the conduct of examinations, including the term of office and appointment and the duties of examining bodies, examiners and moderators;

(h) the conditions of residence of the students of the University;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the appointment and emolument of employees other than those for whom provision has been made in the Statutes;

(k) the manner of co-operation, collaboration or association with other Universities or authorities;

(l) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(m) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

(n) the management of colleges and institutions established by the University;

(o) the supervision and management of colleges and institutions admitted to the privileges of the University; and

(p) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Government and the Ordinances so made may be amended or repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

25. Regulations.— The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

26. Annual Report.— (1) The annual report of the University shall be prepared under the directions of the Executive Council and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at its annual meeting.

(2) The Senate may pass resolution thereon and communicate the same to the Executive Council which shall consider and take such action thereon as it thinks fit; and the Executive Council shall then inform the Senate at its next meeting of the action taken by it or of its reasons for taking no action on such resolutions, if any.

(3) The Senate shall submit the annual report to the Visitor along with its comments, if any.

(4) A copy of annual report as submitted to the Visitor shall also be submitted to the Government, which shall, as soon as may be, cause the same to be laid before the Legislative Assembly.

27. Annual Accounts.— (1) The annual accounts and balance-sheet of the University shall be prepared under the directions of the Executive Council and shall once at least every year and at intervals of not more than fifteen months be audited by the Comptroller and Auditor General of India.

(2) The annual accounts when audited shall be published in the Official Gazette and a copy of the Accounts together with the report of the Comptroller and Auditor General shall be submitted to the Senate and the Visitor alongwith the observations of the Executive Council.

(3) Any observation made by the Visitor on the annual accounts shall be brought to the notice of the Senate and the observations of the Senate, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

(4) A copy of the accounts together with the report of the Comptroller and Auditor-General of India, as submitted to the Visitor, shall also be submitted to the Government which shall, as soon as may be, cause the same to be laid before the Legislative Assembly.

28. Conditions of service of employees.— (1) Every employee of the University shall be appointed under a written contract which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of a contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member nominated by the employee concerned, a representative of the Executive Council and an umpire appointed by the Visitor.

(3) The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matters decided by the Tribunal.

(4) Every such request shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration Act, 1940. Central Act 10 of 1940

29. Procedure of appeal and arbitration in disciplinary cases against students.—(1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders of the Vice-Chancellor, or by a resolution of the Discipline Committee or Examination Committee, as the case may be, appointed by the Academic Council in this behalf and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-sections (2) to (4) of section 28 shall, as far as may be, apply to a reference made under this sub-section.

30. Right to Appeal.—Every employee or student of the University or of a college or institution shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University or of the Principal of any college or institution, as the case may be, and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

31. Pension or provident funds.—(1) The University shall constitute for the benefit of its employees such pension or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such pension or provident fund or insurance scheme has been so constituted, the Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund, as if it were a Government provident fund. Central Act 19 of 1925

32. Disputes as to constitution of University authorities and bodies.—If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

33. Filling of casual vacancies.—All casual vacancies among the members (other than ex-officio members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who is appointed, elected or co-opted the member whose place has become vacant and the person appointed, to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

34. Proceedings of University authorities or bodies not invalidated by vacancies.—No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

35. Protection of action taken in good faith.—No suit or other legal proceeding shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

36. Mode of proof of University record.—A copy of any receipt, application, notice, order, proceeding or resolution of any authority or Committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force. Central Act 1 of 1872.

37. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

38. Transitional provisions.—Notwithstanding anything contained in this Act and the Statutes—

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and each of the said officers shall hold office for a term of five years;

(b) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;

(c) the first Senate and the first Executive Council shall consist of not more than thirty members and eleven members respectively, who shall be nominated by the Visitor and shall hold office for a term of three years;

(d) the first Academic Council shall consist of not more than twenty-one members, who shall be nominated by the Visitor and shall hold office for a term of three years;

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the

office or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

39. Completion of courses of students in Colleges or institutions affiliated to the University.—Notwithstanding anything contained in the Act, or in the Statutes or the Ordinances, any student of a college or institution, who immediately before the admission of such college or institution to the privileges of the Goa University, was studying for a degree, diploma or certificate of the Bombay University or the South Gujarat University, as the case may be, shall be permitted by the Goa University to complete his course for that degree, diploma or certificate, as the case may be, and the Goa University and such college or institution, shall provide for the instruction and examination of such student in accordance with the syllabus of the studies of the Bombay University or the South Gujarat University, as the case may be.

THE SCHEDULE

[See section 23(1)]

The Statutes of the University

1. The Vice-Chancellor.—(1) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(2) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office:

Provided that notwithstanding the expiry of the said period of five years, he shall continue in office until his successor is appointed and enters upon his office:

Provided further that the Visitor may direct that a Vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding a total period of one year, as may be specified in the direction.

(3) Notwithstanding anything contained in clause (2), a person appointed as Vice-Chancellor shall, if attains the age of sixty-five years during the term of his office or any extension thereof retire from office.

(4) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be as follows:—

(i) there shall be paid to the Vice-Chancellor a salary of rupees three thousand per mensem and he shall be entitled, without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence;

(ii) the Vice-Chancellor shall be entitled to such benefits and allowances as may be fixed by the Executive Council with the approval of the Visitor from time to time:

Provided that where an employee of—

(a) the University, college or institution; or

(b) any other University, college or institution maintained by, or affiliated to, that University;

is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the provident fund to which he is a subscriber and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(iii) the Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council;

(iv) the Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him in active service;

(v) the Vice-Chancellor shall also be entitled on medical grounds or otherwise to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to leave under sub-clause (iv).

(5) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise or if he is unable to perform his duties owing to absence, illness or any other cause, the senior-most Professor shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

2. Powers and duties of the Vice-Chancellor.—

(1) The Vice-Chancellor shall be ex-officio Chairman of the Senate, the Executive Council, the Academic Council and the Finance Committee, and shall, in the absence of the Registrar preside at the convocations of the University held for conferring degrees. The Vice-Chancellor shall be entitled to be present at, and to address, any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

(2) It shall be the duty of the Vice-Chancellor to see that the Act, these Statutes, the Ordinances and the Regulations are duly observed and he shall have all powers necessary to ensure such observance.

(3) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Senate, the Executive Council, the Academic Council and the Finance Committee.

3. Deans of Faculties.—(1) Every Dean of a Faculty shall be appointed by the Vice-Chancellor from amongst the Professors in the Faculty for a period of three years and he shall be eligible for re-appointment:

Provided that a Dean on attaining the age of sixty years shall cease to hold office:

Provided further that if at any time there is no Professor in a Faculty, the Vice-Chancellor shall exercise the powers of the Dean of the Faculty.

(2) When the office of the Dean is vacant or when he is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of his office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the Faculty and shall be responsible for the conduct and maintenance and the standards of teaching and research in the Faculty.

(4) The Dean shall have such other functions as may be prescribed by the Ordinances.

(5) The Dean shall have the right to be present and speak at any meeting of the Boards of Studies or Committees of the Faculty, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

4. Registrar. — (1) The Registrar shall be a whole-time salaried officer of the University.

(2) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances:

Provided that the Registrar shall retire on attaining the age of sixty years:

Provided further that a Registrar shall, notwithstanding his attaining the age of sixty years continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year whichever is earlier.

(3) When the office of the Registrar is vacant or when the Registrar is, by reasons of illness, absence or any other cause, unable to perform the duties of his Office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers of the University and the academic staff, as may be specified in the orders of the Executive Council, and to suspend them pending inquiry, to administer warning to them or to impose on them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (a).

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

(5) The Registrar shall be *ex-officio* Member-Secretary of the Senate, and shall also be *ex-officio* Secretary of the Executive Council, the Academic Council and the Boards of studies but shall not be deemed to be a member of any of these authorities.

(6) It shall be the duty of the Registrar, —

(a) to be the custodian of the records, the common seal and such other property of the

University as the Executive Council shall commit to his charge;

(b) to issue all notices convening meetings of the Senate, the Executive Council, the Academic Council, the Boards of studies, the Boards of Examiners and of any Committees appointed by the authorities of the University;

(c) to keep the minutes of all the meetings of the Senate, the Executive Council, the Academic Council, the Boards of studies, the Boards of Examiners and of any Committees appointed by the authorities of the University;

(d) to conduct the official correspondence of the Senate, the Executive Council and the Academic Council;

(e) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings;

(f) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and

(g) to perform such other duties as may be specified in these Statutes, the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

5. Finance Officer. — (1) The Finance Officer shall be a whole-time salaried officer of the University.

(2) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the Ordinances:

Provided that a Finance Officer shall retire on attaining the age of sixty years:

Provided further that the Finance Officer shall, notwithstanding his attaining the age of sixty years, continue in office until his successor is appointed and enters upon his office, or until the expiry of a period of one year, whichever is earlier.

(3) When the office of the Finance Officer is vacant or the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance Officer shall be *ex-officio* Secretary of the Finance Committee, but shall not be deemed to be a member of such Committee.

(5) The Finance Officer shall, —

(a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy;

(b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by those Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding ten thousand rupees without the previous approval of the Executive Council.

(6) Subject to the control of the Executive Council, the Finance Officer shall, —

(a) hold and manage the property and investments of the University including trust and endowed property;

(b) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;

(c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council;

(d) keep a constant watch on the state of the cash and bank balances and on the state of investments;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of buildings, land, furniture and equipments are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, Special Centres, Specialised Laboratories, colleges and institutions maintained by the University;

(g) call for explanation for unauthorised expenditure and for other financial irregularities and suggest disciplinary action against persons at fault; and

(h) call for from any office, Centre, laboratory, college or institution maintained by the University, any information or returns that he may consider necessary for the performance of his duties.

(7) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for payment of such money.

6. Meetings of the Senate. — (1) An annual meeting of the Senate shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the Senate in respect of any year.

(2) At an annual meeting of the Senate, a report of the working of the University during the previous year, together with a statement of the receipts and expenditure, the balance-sheet, as audited, and the financial estimates for the next year shall be presented.

(3) A copy of the statement of receipts and expenditure, the balance-sheet and the financial estimates referred to in clause (2) shall be sent to every member of the Senate at least seven days before the date of the annual meeting.

(4) Twelve members of the Senate shall form a quorum for a meeting of the Senate.

(5) Special meetings of the Senate may be convened by the Executive Council or the Vice-Chancellor, or, if there is no Vice-Chancellor, by the Registrar.

7. Quorum for meetings of the Executive Council. Five members of the Executive Council shall form a quorum for a meeting of the Executive Council.

8. Power and functions of the Executive Council.

(1) The Executive Council shall have the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of this Act, these Statutes and the Ordinances, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of Professors, Readers, Lecturers, and other academic staff and Principals of colleges and institutions maintained by the University;

Provided that no action shall be taken by the Executive Council in respect of the number, qualifications and the emoluments of teachers of the University and academic staff otherwise than after consideration of the recommendations of the Academic Council;

(ii) to appoint such Professors, Readers, Lecturers and other academic staff, as may be necessary, and Principals of colleges and institutions maintained by the University on the recommendation of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein;

(iii) to create administrative, ministerial and other necessary posts and to make appointments thereto in the manner prescribed by the Ordinances;

(iv) to grant leave of absence to any officer of the University, other than the Chancellor and the Vice-Chancellor, and to make necessary arrangements for the discharge of the functions of such officer during his absence;

(v) to regulate and enforce discipline among employees in accordance with these Statutes and the Ordinances;

(vi) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit;

(vii) to fix limits on the total recurring and the total non-recurring expenditure for a year on the recommendations of the Finance Committee;

(viii) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities as it shall, from time to time, think fit, or in the purchase of immovable property in India, with the like powers of varying such investments from time to time;

(ix) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(x) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the University;

(xi) to enter into, vary, carry out and cancel contracts on behalf of the University;

(xii) to entertain, adjudicate upon, and, if thought fit, to redress any grievances of the employees and students of the University, who may, for any reason feel aggrieved;

(xiii) to appoint examiners and moderators and, if necessary to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

(xiv) to select a common seal for the University and provide for the custody and use of such seal;

(xv) to make such special arrangements as may be necessary for the residence and discipline of women students;

(xvi) to delegate any of its powers to the Vice-Chancellor, the Registrar or the Finance Officer or such other employee or authority of the University or to a Committee appointed by it as it may deem fit;

(xvii) to institute the fellowships, studentships, medals and prizes; and

(xviii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, or these Statutes.

9. Quorum for meetings of the Academic Council.—Nine members of the Academic Council shall form a quorum for a meeting of the Academic Council.

10. Powers of the Academic Council.—Subject to this Act, these Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among colleges and institutions, evaluation of research or improvements in academic standards;

(b) to bring about inter-faculty co-ordination, to establish or appoint Committees or Boards, for taking up projects on an inter-school basis;

(c) to consider matters of general academic interest either on its own initiative or on a reference by a faculty or the Executive Council and to take appropriate action thereon; and

(d) to frame such regulations and rules consistent with these Statutes and the Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowships and studentships, fee concessions, corporate life and attendance.

11. The Planning Board.—(1) The Planning Board shall consist of the following members, namely:—

(i) the Vice-Chancellor, who shall be the Chairman of the Board; and

(ii) not more than five members of high academic standing.

(2) The members of the Planning Board shall be appointed by the Visitor and shall hold office for such period as he may determine.

(3) The Planning Board shall, in addition to all other powers vested in it by this Act, have the right to advise the Executive Council and the Academic Council on any academic matter.

12. Faculties and Departments.—(1) The University shall have such Faculties as may be specified by the Ordinances.

(2) Every Faculty shall have a Faculty Board and the members of the first Faculty Board shall be nominated by the Executive Council and shall hold office for a period of three years.

(3) The powers and functions of a Faculty Board shall be prescribed by the Ordinances.

(4) The conduct of the meetings of a Faculty Board and the quorum required for such meetings shall be prescribed by the Ordinances.

(5) (a) Each Faculty shall consist of such Departments as may be assigned to it by the Ordinances.

(b) No Department shall be established or abolished except by these Statutes:

Provided that the Executive Council may, on the recommendation of the Academic Council, establish Centres of Studies to which may be assigned such teachers of the University as the Executive Council may consider necessary.

(c) Each Department shall consist of the following members, namely:—

(i) Dean of the Faculty or Deans of the Faculties concerned;

(ii) honorary Professors, if any, attached to the Department;

(iii) teachers of the Department;

(iv) persons conducting research in the Department; and

(v) such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

13. Boards of Studies.—(1) Each Department shall have two Boards of Studies, one for Post-Graduate studies and another for Under Graduate studies.

(2) The constitution of Board of Post-Graduate studies and the term of office of its members shall be prescribed by the Ordinances.

(3) The functions of a Board of Post-Graduate Studies shall be to approve subjects for research for various degrees and other requirements of research

degrees and to recommend to the concerned Faculty Board in the manner prescribed by the Ordinances —

(a) courses of studies and appointment of examiners for Post-Graduate courses, but excluding research degrees;

(b) appointment of Professors of research; and

(c) measures for the improvement of the standard post graduate teaching and research:

Provided that the functions of a Board of Post-Graduate studies shall, during the period of three years immediately after the commencement of this Act, be performed by the Department.

(4) The constitution and functions of a Board of Under-Graduate studies and the term of office of its members shall be prescribed by the Ordinances.

14. Finance Committee. — (1) The Finance Committee shall consist of the following members, namely: —

(i) the Vice-Chancellor;

(ii) three persons nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council; and

(iii) three persons nominated by the Visitor.

(2) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.

(3) All the members of the Finance Committee, other than the Vice-Chancellor and the members of the Executive Council shall hold office for a term of three years.

(4) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

(5) The Finance Committee shall meet at least twice every year to examine the accounts and to scrutinise proposals for expenditure.

(6) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(7) The Finance Committee shall recommend limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

15. Selection Committee. — (1) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor, Reader, Lecturer, Librarian and Principals of colleges and institutions maintained by the University.

(2) The Selection Committee for appointment to the posts specified in column 1 of the Table below shall consist of the Vice-Chancellor, a nominee of the Visitor and the persons specified in column 2 of the said Table and, in the case of appointment of a Professor, Reader or Lecturer in a Department

where there is no Head of the Department, shall also consist of a person nominated by the Planning Board from its members.

TABLE

(1)	(2)
Professor	<p>(i) The Dean of the School concerned;</p> <p>(ii) The Head of the Department/Centre concerned, if he is a Professor and not a Dean;</p> <p>(iii) One Professor, to be nominated by the Vice-Chancellor; and</p> <p>(iv) Three persons, not in the service of the University nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Professor as the case may be will be concerned.</p>
Reader/Lecturer	<p>(i) The Dean of the School concerned;</p> <p>(ii) The Head of the Department/Centre concerned if he is not a Dean;</p> <p>(iii) One Professor to be nominated by the Vice-Chancellor; and</p> <p>(iv) Two persons not in the service of the University nominated by the Executive Council out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Reader/Lecturer, as the case may be, will be concerned.</p>
Librarian	<p>(i) Two persons not in the service of the University, who have special knowledge of the subject of Library Science, or Library Administration, to be nominated by the Executive Council; and</p> <p>(ii) One person, not in the service of the University, nominated by the Executive Council.</p>
Principal of College and Institution maintained by University.	Three persons not in the service of the University of whom two shall be nominated by the Executive Council and one by the Academic Council for their special knowledge of or interest in a subject in which instruction is being provided by the College or Institution.

Note: 1) Where the appointment is being made for an inter-disciplinary project, the Head of the project shall be deemed to be the Head of Department/Centre concerned.

2) The Professor to be nominated shall be a Professor concerned with the speciality for which the selection is being made and that the Vice Chancellor shall consult the Head of Department/Centre and the Dean of School before nominating the Professor.

3) The Vice-Chancellor shall preside at the meetings of the Selection Committees.

4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor or in his absence, by the Registrar.

5) The procedure to be followed by a Selection Committee in making recommendations shall be such as may be laid down in the Ordinances.

6) If the Executive Council is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Visitor for final orders.

(1)

(2)

7) Appointments to temporary posts shall be made in the manner indicated below:—

- (i) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the foregoing clauses:

Provided that if the Vice-Chancellor is satisfied that in the interests of work it is necessary to fill the vacancy, the appointment may be made on a purely temporary basis by a local Selection Committee referred to in sub-clause (ii) for a period not exceeding six months.

- (ii) If the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of the Dean of the Faculty concerned, the Head of the Department and a nominee of the Vice-Chancellor:

Provided that if the same person holds the offices of the Dean and the Head of the Department, the Selection Committee may contain two nominees of the Vice-Chancellor:

Provided further that in case of sudden casual vacancies in teaching posts caused by death or any other reason, the Dean may, in consultation with the Head of the Department concerned make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment.

- (iii) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee for appointment under these Statutes, be continued in service on such temporary employment, unless he is subsequently selected by a local Selection Committee or a regular Selection Committee, for a temporary or permanent appointment, as the case may be.

16. Special mode of appointment.—(1) Notwithstanding anything contained in Statute 15, the Executive Council may invite a person of high academic distinction and professional attainments to accept a post of Professor in the University on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

(2) The Executive Council may appoint a teacher or any other academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner laid down in the Ordinances.

17. Appointment for a fixed tenure.—The Executive Council may appoint a person selected in accordance with the procedure laid down in Statute 15 for a fixed tenure on such terms and conditions as it deems fit.

18. Recognised teachers.—(1) The qualifications of recognised teachers shall be such as may be prescribed by the Ordinances.

(2) The manner of recognising teachers and withdrawal of such recognition shall be prescribed by the Ordinances.

(3) The period of recognition of a teacher shall be determined by the Ordinances.

19. Committees.—Any authority of the University may appoint as many standing or special committees as it may deem fit, and may appoint to such committees persons who are not members of such authority. Any such committee may deal with any

subject delegated to it subject to subsequent confirmation by the authority appointing it.

20. Terms and conditions of service of University teachers.—(1) All the teachers of the University shall in the absence of any agreement to the contrary, be governed by the terms and conditions of service as specified in these Statutes, the Ordinances and the Regulations.

(2) Every teacher of the University shall be appointed on a written contract, the form of which shall be prescribed by the Ordinance. A copy of the contract shall be deposited with the Registrar.

21. Seniority lists.—(1) Whenever, in accordance with these Statutes, any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade, and, in accordance with such other principles as the Executive Council may, from time to time, prescribe.

(2) It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of these Statutes apply, a complete and up-to-date seniority list in accordance with the provisions of clause (1).

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any person or persons is otherwise in doubt, the Registrar may, on his own motion and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

22. Removal of teachers.—(1) Where there is an allegation of misconduct against a teacher, or a member of the academic staff, the Vice-Chancellor may, if he thinks fit, by order in writing, place the teacher under suspension and shall forthwith report to the Executive Council the circumstances in which the order was made:

Provided that the Executive Council may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the teacher or a member of the academic staff, revoke such order.

(2) Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Executive Council shall be entitled to remove a teacher or a member of the academic staff on the ground of misconduct.

(3) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher or a member of the academic staff except for good cause and after giving three months' notice in writing or on payment of three month's salary in lieu of notice.

(4) No teacher or a member of the academic staff shall be removed under clause (2) or under clause (3) until, he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher or a member of the academic staff shall require a two-thirds majority of the members of the Executive Council present and voting.

(6) The removal of a teacher or a member of the academic staff shall take effect from the date on which the order of removal is made:

Provided that where a teacher or a member of the academic staff is under suspension at the time of his removal, the removal shall take effect from the date on which he was placed under suspension.

(7) Notwithstanding anything contained in these Statutes, a teacher or a member of the academic staff may resign by giving three months' notice in writing to the Executive Council or on payment to the University of three months salary in lieu thereof.

23. Removal of employees other than teachers of the University.— (1) Notwithstanding anything contained in the terms of his contract of service or his appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee—

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months;

(d) if he is otherwise guilty of misconduct:

Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of not less than two-thirds of its members present and voting.

(2) No employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of such notice.

(4) Notwithstanding anything contained in these Statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign,—

(i) if he is a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof;

(ii) if he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof:

Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority.

24. Honorary degrees.— (1) The Executive Council may, on the recommendation of the Academic Council and by a resolution passed by a majority of not less than two-thirds of the members

present and voting, make proposals to the Visitor for the conferment of honorary degrees:

Provided that in case of emergency, the Executive Council may, on its own, make such proposals.

(2) The Executive Council may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw with the previous sanction of the Visitor, any honorary degree conferred by the University.

25. Withdrawal of degrees, etc.— The Executive Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw any degree or academic distinction conferred on, or any certificate or diploma granted to, any person by the University for good and sufficient cause:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such a resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Executive Council.

26. Maintenance of discipline among students of the University.— (1) All powers relating to discipline and disciplinary action in relation to students of the University shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or any of his powers as he deems proper to the Registrar and to such other officers as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his powers, by order, direct that any student or students be expelled or rusticated for a specified period or be not admitted to a course or courses of study in a college, institution or Department of the University for a stated period or be punished with fine for an amount to be specified in the order or be debarred from taking an examination or examinations conducted by the University, college, institution or a Department for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be cancelled.

(4) The Principals of colleges, institutions, Heads of Special Centres, Deans of Faculties and Head of teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective colleges, institutions, Special Centres, Faculties and teaching Departments in the University as may be necessary for the proper conduct of such colleges, institutions, Special Centres, Faculties and teaching in the Departments.

(5) Without prejudice to the powers of the Vice-Chancellor, the Principals and other persons specified in clause (4), detailed rules of discipline and proper conduct shall be made by the University. The Principals of colleges, institutions, Heads of

Special Centres, Deans of Schools of Studies and Heads of teaching Departments in the University may also make such supplementary rules as they deem necessary for the aforesaid purposes. Every student shall be supplied with a copy of the rules made by the University and a copy of the supplementary rules shall be supplied to the students concerned.

(6) At the time of admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the University.

27. **Convocations.** — Convocations of the University for the conferring of degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances.

28. **Acting Chairman of meetings.** — Where no provision is made for a President or Chairman to preside over a meeting of any authority of the University or any committee of such authority or when the President or Chairman so provided for is absent, the members present shall elect one from among themselves to preside at such meeting.

29. **Resignation.** — Any member, other than an ex-officio member of the Senate, the Executive Council, the Academic Council or any other authority of the University or any Committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

30. **Disqualifications.** — (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University—

(a) if he is of unsound mind or is a deaf, mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the Visitor and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.

31. **Residence condition for membership and office.** — Notwithstanding anything contained in these Statutes, no person who is not ordinarily resident in India shall be eligible to be an officer of the University or a member of any authority of the University.

32. **Membership of authorities by virtue of membership of other bodies.** — Notwithstanding anything contained in these Statutes, a person who holds any post in the University or is a member of any authority or body of the University in his capacity as member of a particular authority or body or as the holder of a particular appointment shall hold such office or membership only for so

long as he continues to be a member of that particular authority or body or the holder of that particular appointment, as the case may be.

33. **Ordinance how made.** — (1) The first Ordinances made under sub-section (2) of section 24 may be amended, repealed or added to at any time by the Executive Council in the manner specified below.

(2) No Ordinance in respect of the matters enumerated in section 24, other than those enumerated in clause (m) of sub-section (1) thereof shall be made by the Executive Council unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Executive Council shall not have power to amend any draft of any Ordinance proposed by the Academic Council under clause (2), but may reject the proposal or return the draft to the Academic Council for re-consideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(4) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is re-affirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

(5) Every Ordinance made by the Executive Council shall come into effect immediately.

(6) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks from the date of its adoption. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall, as soon as possible, inform the Executive Council about his objection to the proposed Ordinance. The Visitor may, after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

34. **Regulations.** — (1) The authorities of the University may make Regulations consistent with this Act, and these Statutes and the Ordinances:—

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which are required by this Act, these Statutes or the Ordinances to be prescribed by Regulation; and

(c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, these Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment in such manner as it may specify of any Regulation made under this Statute or the annulment of any such Regulation.

35. Delegation of Powers.— Subject to the provisions of this Act and these Statutes, any officer or authority of the University may delegate his or its powers to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the

exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

U. D. Sharma

Secretary to the Government of Goa,
Secretariat,
Panaji-Goa.
Daman and Diu, Law Department,
(Legal Advice)

Dated: 1st December, 1984.